

**UNITED STATES PATENT & TRADEMARK OFFICE**  
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND				
1 Date of Request: <u>1/9/06</u>		2 Serial/Patent # <u>10812038</u>		
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT
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<p style="font-size: 1.2em;">Pet. 1.137(b) was dismissed as moot.</p>				
11 REFUND REQUESTED BY:				
TYPED/PRINTED NAME: <u>Liana Chase</u>		TITLE: <u>Pets. Examiner</u>		
SIGNATURE: <u>Liana Chase</u>		PHONE: <u>23206</u>		
OFFICE: <u>Pet</u>				
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APPROVED: <u>[Signature]</u>		DATE: <u>1/20/06</u>		

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:



DAC  
PFW

PATENT  
Application Serial No. 10/812,038  
Attorney Ref. No. 059US2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent Application of )  
Michael F. Hoey, et al. ) Group Art Unit: 3736  
App. Ser. No. 10/812,038 )  
Filed: March 29, 2004 ) Examiner: Charles A. Marmor, II  
For: TISSUE DISCRIMINATION AND )  
APPLICATIONS IN MEDICAL )  
PROCEDURES )

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 3, 2005:

Signature: \_\_\_\_\_

Jonathan D. Spangler

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 C.F.R. 1.181**  
**OR, IN THE ALTERNATIVE,**  
**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED**  
**UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Adjustment date: 01/20/2006 CKHLOK  
03/29/2005 SFELEKE1 00000038 502040 10812938  
01 FC:2253 510.00 CR

In response to Notice of Abandonment mailed by the US Patent and Trademark Office on

May 4, 2005, Applicant hereby respectfully petitions that the Holding of Abandonment be  
withdrawn, or in the alternative (in the event the Holding of Abandonment is not withdrawn),

08/09/2005 TBESHAH1 00000014 502040 10812038

01 FC:2453 750.00 DA

01/20/2006 CKHLOK 00000035 502040 10812038

01 FC:2253 510.00 DA

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Adjustment date: 01/20/2006 CKHLOK  
08/09/2005 TBESHAH1 00000014 502040 10812038  
01 FC:2453 750.00 CR